

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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In re:) P. & S. Docket No. D-99-0007
)
Lloyd Nash, dba Lloyd Nash)
Livestock,)
)
)
Respondent) Decision

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 et seq.) by a complaint filed by the Deputy Administrator, Packers and Stockyards Programs, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that the respondent wilfully violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondent admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Lloyd Nash, dba Lloyd Nash Livestock, hereinafter referred to as respondent Nash, is an individual whose business mailing address is P. O. Box 3064, Cookeville, Tennessee 38502.

2. Respondent Nash is and at all times material herein was:

(a) Engaged in the business of buying livestock in commerce on a commission basis;

(b) Engaged in the business of buying and selling livestock for its own account; and

(c) Registered as an individual with the Secretary of Agriculture as a dealer to buy and sell livestock on his own account and as a market agency.

Conclusions

The respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

Respondent Nash, his agents and employees, directly or through any corporate or other device, in connection with his operations subject to the Act shall cease and desist from failing to pay, when due, the full purchase price of livestock.

In accordance with section 312(b) of the Act (7 U.S.C.

§ 213(b)), respondent Lloyd Nash is assessed a civil penalty in the amount of Six Thousand Dollars (\$6,000.00).

The provisions of this order shall become effective on the sixth day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.

Lloyd Nash

LLOYD NASH
Respondent

Jane McCavitt

JANE MCCAIVITT
Attorney for Complainant

Issued this 9th day of April, 1999

Don DeCoster

Administrative Law Judge